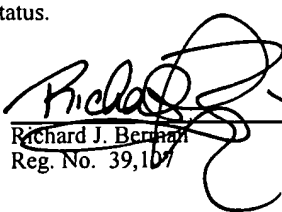


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| FORM PTO-1390 (REV 5-93) | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEY DOCKET NO. 023231-00033 |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | DATE: June 23, 2006 |
| | | U.S. APPL. NO. (IF KNOWN, SEE 37 C.F.R. 1.53) |
| INTERNATIONAL APPLICATION NO. PCT/US2003/039107 | INTERNATIONAL FILING DATE December 23, 2003 | PRIORITY DATE CLAIMED |
| TITLE OF INVENTION: METHODS OF EXPRESSING HETEROLOGOUS PROTEIN IN PLANT SEEDS USING MONOCOT NON SEED-STORAGE PROTEIN PROMOTERS | | |
| APPLICANT(S) FOR DO/EO/US: Ning HUANG (Davis, California, USA); Diachang YANG (Sacramento, California, USA); Kevin HENNEGAN (Sacramento, California, USA) | | |
| <p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The U.S. has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)] <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US), however a courtesy copy is attached. 6. <input type="checkbox"/> An English language translation of the International Application into English [35 U.S.C. 371(c)(2)]. <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)] <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]. 9. <input type="checkbox"/> An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]. 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]. <p>Items 11 to 20 below concern other document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; Form PTO-SB08a, Form PTO-SB08b and Reference (1). 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13^{ter}.2 and 37 CFR 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Drawings - Figs. 1 - 6 (6 sheets); International Search Report; Notification of Transmittal of the International Search Report or the Declaration (Form PCT/ISA/220) | | |

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| U.S. APPLN. NO. (IF KNOWN) 4225 INTERNATIONAL APPLICATION NO. SEE 37 C.F.R. 1.50) PCT/US2003/039107 | | | | ATTORNEY DOCKET NO. 023231-00033 | |
| The following fees are submitted: | | | | CALCULATIONS | PTO USE ONLY |
| 21. <input checked="" type="checkbox"/> Basic National Fee \$300.00 | | | | \$ 300.00 | |
| 22. <input checked="" type="checkbox"/> Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100.00 All other situations \$200.00 | | | | \$ 200.00 | |
| 23. <input checked="" type="checkbox"/> Search Fee Search Fee (37 CFR 1.445(a)(2)) has been paid on the International Application to the USPTO as an International Searching Authority \$100.00 International Search Report prepared and provided to the Office \$400.00 All other situations \$500.00 | | | | \$ 400.00 | |
| TOTAL OF CALCULATIONS FOR 21, 22 and 23 = | | | | \$ 900.00 | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | Rate | | |
| - 100 = | /50 = | | x \$250.00 | \$ | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)]. | | | | \$ | |
| Claims | Number Filed | Number Extra | Rate | | |
| Total Claims | 13 - 20 = | 0 | x \$ 50.00 | \$ 0 | |
| Independent Claims | 3 - 3 = | 0 | x \$200.00 | \$ 0 | |
| Multiple dependent claim(s) (if applicable) | | | + \$360.00 | \$ 0 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 900.00 | |
| Reduction by one-half for filing by small entity, if applicable. Small entity status under 37 C.F.R. §§1.9 and 1.27 is hereby claimed. - | | | | \$ | |
| SUBTOTAL = | | | | \$ 900.00 | |
| Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)]. + | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$ 900.00 | |
| Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property + | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$ | |
| | | | | Amount to be refunded | \$ |
| | | | | Charged | \$ 900.00 |
| a. <input type="checkbox"/> Check # _____ in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 01-2300 in the amount of \$ 900.00 to cover the above fee. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2300. | | | | | |
| NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: Customer No. 004372 Arent Fox PLLC 1050 Connecticut Avenue, N.W. Suite 400 Washington, D.C. 20036-5339 Tel: (202) 857-6000 Fax: (202) 638-4810 | | | | | |
|  Richard J. Bernham Reg. No. 39,107 | | | | RJB:mmg | |